

### **REMARKS**

Claims 1-16 were previously pending in this application. By this amendment, Applicant is canceling claim 6 without prejudice or disclaimer. Claim 1 has been amended. No new claims have been added. As a result claims 1-5 and 7-16 are pending for examination with claims 1 and 12 being independent claims. No new matter has been added.

#### **Information Disclosure Statement**

Applicant acknowledges the Examiner's objection to the Information Disclosure Statement submitted on May 11, 2006, and files herewith a Supplemental Information Disclosure Statement which identifies the prior application in which the NPL documents were provided and also provides copies of these documents. Applicant respectfully requests consideration of these references.

#### **Rejection under 35 U.S.C. §112**

The Office Action rejected claim 6 under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicant hereby cancels claim 6 without prejudice or disclaimer. Accordingly, withdrawal of the rejection of claim 6 under 35 U.S.C. §112, second paragraph, is respectfully requested.

#### **Rejections Under 35 U.S.C. §102**

The Office Action rejected claims 1-16 under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2002/0069080 to Roy et al. (hereinafter Roy). In response, Applicant has made clarifying amendments to independent claim 1, and submits the following remarks with respect to the Roy reference.

Roy describes a system for cataloging and selecting employment skills and for matching the skills of particular candidates to the skills needed for a particular job. (Roy, Abstract.) In the system of Roy, a catalog of all possible skills is created that is organized according to a standardized hierarchy of codes. (Roy, paras. [0017]-[0021]). The catalog is not a job listing in itself; rather, it is a list of all possible skills from which job requirements may be defined by selecting the from the catalog the skills needed for the job. Similarly, an individual candidate's

skill set may be defined as a listing of codes corresponding to the skills that the individual candidate possesses. (Roy, paras. [0038]-[0039]). In the system described in Roy, individuals looking for jobs select and post their skills from the catalog, while employers seeking candidates select and post the skills they require. (Roy, para. [0053]). The system of Roy then can provide an employer with a set of candidates whose skill sets match the required skills. (Roy, para. [0056]).

In contrast to Roy, the method of claim 1 of the present application includes “developing a first job description, the first job description comprising a first set of components,” “storing the first job description in a database,” and then “creating a second job description *based upon the first job description*,” such that the second job description has at least one component “*selected from the first set of components*” of the first job description.

In Roy, subsequent job descriptions are not based on previous job descriptions; Roy does not teach that subsequent job descriptions include a component “selected from the first set of components” corresponding to the first job description. Rather, in Roy, the first selected skill set subsequent selected skill sets are selected from the same underlying catalog of all possible skills (Roy, para. [0038]); there is no teaching in Roy that the subsequent skill sets chosen should overlap in any way with the first skill set selected.

Thus, while Roy teaches creating a catalog of all possible skills and then selecting skill sets as needed, independently, from that catalog, the method recited in claim 1 includes “developing a first job description comprising a first set of components,” and then creating a second job description that is “based upon the first job description” and whose set of components overlaps with the first. Claim 1, therefore, is not anticipated by Roy under 35 U.S.C. §102. Accordingly, withdrawal of this rejection of claim 1 is respectfully requested.

Claims 2-5 and 7-11 depend either directly or indirectly from claim 1, and are therefore not anticipated by Roy for at least the same reasons. Additionally, claims 2-3, 5, and 7-8 recite the involvement of a “requirements specialist.” As described in the specification of the present application, a requirements specialist is not merely any applicant or employer, as described in Roy, but rather a person with specialized skills communicating with the client (employer) to determine the client’s specific needs. See page 7, lines 17-25 of the application as originally filed. The requirements specialist is not merely a conduit for receiving information and entering it rote into a database. Rather, as described in the specification, the requirements specialist

works closely together with the client during the process of developing a job description. See, e.g., page 15, lines 15-24.

Roy does not disclose the contribution of the special skills of a “requirements specialist” as recited in claims 2-3, 5, and 7-8 of the present application. Thus, in addition to the distinctions over Roy discussed above in connection with claim 1, these claims are patentable for at least these additional reasons.

For the above reasons, withdrawal of the rejection of claims 1-5 and 7-11 under 35 U.S.C. § 102 is respectfully requested.

With respect to claims 12-16, independent claim 12 similarly recites that the steps of “receiving, *by a requirements specialist* from a client, hiring needs; and determining, *by the requirements specialist* based on the received hiring needs, at least one portion of a job description.” Here, again, a requirements specialist is not merely any applicant or employer, as described in Roy, but rather a person with specialized skills communicating with the client (employer) to determine the client’s specific needs. See page 7, lines 17-25 of the application as originally filed. The requirements specialist is not merely a conduit for receiving information and entering it into a database. Rather, as described in the specification, the requirements specialist works closely together with the client during the process of developing a job description. See, e.g., page 15, lines 15-24.

Because Roy does not disclose the contribution of the special skills of a “requirements specialist” as recited in claim 12 of the present application, Roy does not anticipate claim 12 under 35 U.S.C. § 102. Moreover, claims 13-16 depend from claim 12, and are therefore patentable for at least the same reasons. Applicant therefore respectfully requests that these rejections be withdrawn.

**CONCLUSION**

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Amendment, including an extension fee that is not covered by any accompanying payment, please charge any deficiency to Deposit Account No. 50/2762, Ref. No. H0644-700719.

Respectfully submitted,

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